



Paper No. 8

REED & EBERLE LLP
800 MENLO AVENUE, SUITE 210
MENLO PARK CA 94025

COPY MAILED

SEP 09 2003

In re Application of
Mutz, et al.
Application No. 10/010,972
Filed: December 4, 2001
Attorney Docket No. 7610-0047
For: ACOUSTIC ASSESSMENT OF FLUIDS IN
A PLURALITY OF RESERVOIRS

ON PETITION

OFFICE OF PETITIONS

This is a decision on the petition under 37 CFR 1.10(c), filed February 12, 2003, requesting that the above-identified application be accorded a filing date of December 4, 2001. It is noted that a filing receipt, mailed January 23, 2002, listed December 7, 2001 as the filing date for the above-identified application. In addition, petitioner requests expedited review under 37 CFR 1.182.

The petition under 37 CFR 1.10(c) is **GRANTED**.

The petition under 37 CFR 1.182 is **DISMISSED AS MOOT** because over 6 months have passed since the instant petition was filed. It would not be equitable to charge a fee for expedited review.

Petitioner requests a filing date of December 4, 2001 on the basis that the application was deposited in Express Mail service of the United States Postal Service (USPS) on December 4, 2001, pursuant to the requirements of 37 CFR 1.10. The petition is accompanied by a copy of Express Mail label no. EL910282067US showing a "date-in" of 12/4/01 and a USPS date stamp of DEC 4 2001. The same Express Mail label number is listed on the original Utility Patent Application Transmittal found in the application file.

The evidence presented establishes that the Express Mail package associated with Express Mail label no. EL910282067US was deposited with the USPS on December 4, 2001.

Accordingly, the petition is granted. No fee has been or will be charged in connection with the Rule 10 petition.

All Office records show the filing date of the above-identified application as December 4, 2001. It is unnecessary to return the application file to the Office of Initial Patent Examination for further processing. Please find enclosed a corrected filing receipt.

The application file will be returned to TC GAU 2861.

Any inquiries related to this decision should be directed to the undersigned at (703) 308-6712.

A handwritten signature in cursive script, reading "E. Shirene Willis".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

enclosure: corrected filing receipt